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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.			FOX, BRYAN J	
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SUITE 370			PAPER NUMBER	
ALEXANDRIA, VA 22314			2686	

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/932,112	Applicant(s) YAMADERA ET AL.	
	Examiner Bryan J Fox	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/14/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 19 is objected to because of the following informalities: the limitation "the user" should be changed to "a user" in order to provide proper antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Karkkainen et al (US006600936B1).

Regarding **claim 14**, Karkkainen et al disclose a portable telephone with a display, on which icons corresponding to menu items and other information, such as text information, can be displayed, an enter key for entering a respective menu item or function, as well as the usual number keys, on/off keys, etc. The menu functions are displayed on the display (see column 5, lines 1-25 and figure 1), which reads on the claimed, "a pocket telephone user interface comprising: a display surface; an operation surface on which function keys and character input keys are arrayed; a control part which performs a control so that a standby screen is displayed on said display screen

when its power is turned on; a main menu screen having a plurality of selection items to be selected by operation of said function keys that are displayed on the display surface; and a selection function screen displayed on said display surface by selection of a predetermined item from said selection items on said main menu screen, wherein said control part displays selection items on said main menu screen arranged in a matrix."

The icon on position A is enlarged compared to the other displayed icons (see column 5, lines 38-55), which reads on the claimed, "a focus is set to a first icon selected as a focal icon by operation of said function keys, and wherein said focal icon is displayed on said display surface as well as remaining icons not focused in such manner that the focal icon is shown larger than the remaining icons, and at least one part of the remaining icons are shifted or compressed so that the positional relationship of said icons arranged in a matrix can be maintained and so that the focal icon and remaining icons are not overlapped over each other."

Regarding **claim 15**, Karkkainen et al disclose all the other icons are smaller than the selected icon (column 5, lines 38-55 and figure 3), which reads on the claimed, "said one part of the remaining icons is remaining icons arranged near said focal icon."

Regarding **claim 16**, Karkkainen et al disclose all the other icons are smaller than the selected icon (column 5, lines 38-55 and figure 3), which reads on the claimed, "said control part compresses said remaining icons arranged near said focal icon, shifts said icons arranged near said focal icon and other remaining icons and displays said icons so that all of icons are not overlapped over each other."

Regarding **claim 17**, Karkkainen et al disclose all the other icons are smaller than the selected icon (column 5, lines 38-55 and figure 3), which reads on the claimed, "said control part controls the display surface in such a manner that the remaining icons are shifted so that the remaining icons not overlapped each other."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karkkainen et al (US006600936B1) in view of Castell (US 20020098831A1).

Regarding **claim 18**, Karkkainen et al disclose the menu functions are displayed on the display (see column 5, lines 1-25 and figure 1), which reads on the claimed, "first information display area on which a plurality of information of a predetermined selected item selected by selection of said icons are displayed. Karkkainen et al fail to disclose a

second information display area on which detain information of one of said plurality of information are displayed when the one of said plurality of information is focused.

In a similar field of endeavor, Castell et al disclose a unified event listing that is a reflection of such events as e-mail messages received, faxed received, voice mail messages, outgoing e-mail messages and telephone call logs (see paragraph 35 and figure 3), which reads on the claimed "a second information display area on which detain information of one of said plurality of information are displayed when the one of said plurality of information is focused."

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Karkkainen et al with Castell et al to include the above display of details in order to provide a more useful and efficient user interface.

Regarding **claim 19**, Karkkainen et al fail to expressly disclose the first information display area is an address book screen where a plurality of entries of person or parties whom the user has contacted or may contact are displayed in a list and one of the name entries is focused, and wherein said control part displays its detailed information about the address book as well as the name of an entry focused on said second information display area.

In a similar field of endeavor, Castell et al disclose a unified event listing that is a reflection of such events as e-mail messages received, faxed received, voice mail messages, outgoing e-mail messages and telephone call logs (see paragraph 35 and figure 3), which reads on the claimed, "first information display area is an address book screen where a plurality of name entries of person or parties whom the user of said

pocket telephone has contacted or may contact are displayed in a list, and one of the name entries is focused, and wherein said control part displays its detailed information about the address book as well as the name of an entry focused on said second information display area.”

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Karkkainen et al with Castell et al to include the above address book display in order to a more useful and efficient user interface.

Regarding **claim 20**, Karkkainen et al fail to expressly disclose the first information display area is a record screen where a plurality of entries of person or parties whom the user has contacted or may contact are displayed in a list, an icon indicating the type of contact means taken at the last contact being attached to each name entry, and one of the name entries is focused, and wherein said control part controls said second information display area in such a manner that a record information including a least one of last contact date/time or the number of times of contact as well as the name of an entry focused is displayed on said second information display area.

In a similar field of endeavor, Castell et al disclose a unified event listing that is a reflection of such events as e-mail messages received, faxed received, voice mail messages, outgoing e-mail messages and telephone call logs including time of contact and an icon showing the type of contact (see paragraph 35 and figure 3), which reads on the claimed, “disclose the first information display area is a record screen where a plurality of entries of person or parties whom the user has contacted or may contact are

displayed in a list, an icon indicating the type of contact means taken at the last contact being attached to each name entry, and one of the name entries is focused, and wherein said control part controls said second information display area in such a manner that a record information including a least one of last contact date/time or the number of times of contact as well as the name of an entry focused is displayed on said second information display area.”

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Karkkainen et al with Castell et al to include the above address book display in order to a more useful and efficient user interface.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karkkainen et al in view of Jarrad (US006047197A).

Regarding **claim 21**, Karkkainen et al fail to expressly disclose the function selection screen comprises: a function item column indicating a plurality of functional items which a predetermined selected item selected from said icons has, and a title area displaying the icon selected and title of the icon selected.

In a similar field of endeavor, Jarrad discloses a menu where a column of icons is displayed with the title of the icon (see figure 3), which reads on the claimed, “the function selection screen comprises: a function item column indicating a plurality of functional items which a predetermined selected item selected from said icons has, and a title area displaying the icon selected and title of the icon selected.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Karkkainen et al with Jarrad to include the above column of icons display in order to provide a cellular telephone having a user interface whose menu system is user friendly and which allows for quicker feature selection in a manner which is largely independent of language as suggested by Jarrad (see column 1, lines 51-63).

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karkkainen et al in view of Smith et al (US006084951A).

Regarding **claim 22**, Karkkainen et al fail to disclose a menu screen including a selection item display column displaying a plurality of icons corresponding to items or groups of items to be chosen arranged in a single row on upper portion thereof, and one of the plurality of icons is selected and focused, and wherein said control part controls said main menu screen in such a manner that the plurality of icons is displayed on said selection display column by selection of the icon selected using said function key, and that detail information of selection item of the icon selected is displayed on said function selection screen.

In a similar field of endeavor, Smith discloses a system with rows and columns of icons and detail information about the icons (see e.g., figures 8A, 13A, and 15), which reads on the claimed, "a selection item display column displaying a plurality of icons corresponding to items or groups of items to be chosen arranged in a single row on upper portion thereof, and one of the plurality of icons is selected and focused, and

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wherein said control part controls said main menu screen in such a manner that the plurality of icons is displayed on said selection display column by selection of the icon selected using said function key, and that detail information of selection item of the icon selected is displayed on said function selection screen."

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karkkainen et al in view of Beaton et al (US006608637B1) and Wolff et al (US005774887A).

Regarding **claim 23**, Karkkainen et al fails to expressly disclose a compose mail screen comprising a plurality of input fields, and wherein said control part controls in such a manner that a help icon assigned to each of the input fields on said mail input screen is displayed on said create mail screen, and a help information for each of the input fields is displayed by the operation of said function keys.

In a similar field of endeavor, Beaton et al disclose a user interface for a telecommunications device where by pressing a button the user automatically sets up an SMS message (see column 6, lines 57-67 and figures 8B and 8C).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Karkkainen et al to include the above interface for composing a message in order to provide a simple interaction model by which a user can select and operate multiple communication tasks concurrently as suggested by Beaton et al (see column 7, lines 22-25). The combination of Karkkainen et al and Beaton et al suggests some help or information available in the compose mail

interface with the "i" icon (see Beaton et al figure 8C), however, it fails to expressly disclose a help icon assigned to each input field.

In a similar field of endeavor, Wolff et al disclose an interface where each field may have an associated help icon that the user may select (see column 9, lines 5-36).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Karkkainen et al and Beaton et al with Wolff et al to include the above help icons associated with each input field in order to present a user with an interface that is intuitive to complete and easy to follow and efficient as suggested by Wolff et al (see column 2, lines 21-34).

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Karkkainen et al in view of Beaton et al and Wolf et al as applied to claim 23 above, and further in view of Jambhekar et al (US006430405B1).

Regarding **claim 24**, Karkkainen et al disclose a system where one of the icons is always focused (see figures 2-7). Karkkainen et al fail to disclose a create mail screen is displayed by actuating a specific key on the operation surface, in such a manner that a letter type screen in options are laid out.

In a similar field of endeavor, Beaton et al disclose a user interface for a telecommunications device where by pressing a button the user automatically sets up an SMS message (see column 6, lines 57-67 and figures 8B and 8C).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Karkkainen et al to include the above

interface for composing a message in order to provide a simple interaction model by which a user can select and operate multiple communication tasks concurrently as suggested by Beaton et al (see column 7, lines 22-25). The combination of Karkkainen et al and Beaton et al suggests some help or information available in the compose mail interface with the "i" icon (see Beaton et al figure 8C), however, it fails to expressly disclose a help icon assigned to each input field.

In a similar field of endeavor, Wolff et al disclose an interface where each field may have an associated help icon that the user may select (see column 9, lines 5-36).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Karkkainen et al and Beaton et al with Wolff et al to include the above help icons associated with each input field in order to present a user with an interface that is intuitive to complete and easy to follow and efficient as suggested by Wolff et al (see column 2, lines 21-34). The combination of Karkkainen et al, Beaton et al and Wolff et al fails to expressly disclose a list of icons to determine the message type.

In a similar field of endeavor, Jambhekar et al discloses a mobile phone interface where a user is presented with a number of icons to choose the message type (see, for example, figure 10-7).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Karkkainen et al, Beaton et al and Wolff et al with Jambhekar et al to include the above presentation of icons to choose a message

type in order to provide more convenient operation by the user as suggested by Jambhekar et al (see column 1, lines 52-56).

Response to Arguments

Applicant's arguments with respect to claims 14-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan J Fox whose telephone number is (571) 272-7908. The examiner can normally be reached on Monday through Friday 9-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bryan Fox
June 10, 2005

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